

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

JANE BUCKINGHAM

No. 1:19-mj-06087-MPK

DEFENDANT JANE BUCKINGHAM'S MOTION TO CONTINUE

Defendant Jane Buckingham respectfully requests that the Court continue the date for her initial appearance in this matter—currently scheduled for April 3, 2019—to April 10, 2019 or such other time thereafter as is convenient for the Court. In the alternative, Ms. Buckingham respectfully requests that the Court permit her to appear before the Court on April 3, 2019 by video teleconference pursuant to Federal Rule of Criminal Procedure 5(f). As grounds for the motion, Ms. Buckingham states as follows:

1. On March 12, 2019 Ms. Buckingham appeared before Magistrate Judge Alexander F. MacKinnon in the U.S. District Court for the Central District of California in relation to the complaint pending in this matter. During that appearance Judge MacKinnon set her bail, ordered her conditions of release, and ordered Ms. Buckingham to surrender her passport. Judge MacKinnon also ordered Ms. Buckingham to appear in the District of Massachusetts on March 29, 2019 for an initial appearance in this matter.

2. On March 25, 2019, Ms. Buckingham filed a motion to continue her initial appearance in this Court. The Court granted that motion on March 26, 2019 and set Ms. Buckingham's initial appearance for April 3, 2019 at 2:30 p.m.

3. Ms. Buckingham has no issue with her release conditions as they were imposed

by Judge MacKinnon on March 12, 2019 and she is not seeking to modify them. Ms. Buckingham is in full compliance with those release conditions and is in good standing with the Pretrial Services Office.

4. Ms. Buckingham and the Government are currently considering a resolution to this matter that would not require a hearing before the Court.

5. Ms. Buckingham's counsel, Michael Proctor, has a scheduling conflict with the current April 3, 2019 initial appearance date. Additionally, attending the initial appearance on April 3, 2019 would cause inconvenience to Mr. Proctor and Ms. Buckingham, who would both need to travel to the District of Massachusetts from California.

6. In the event that the Court does not continue her April 3, 2019 initial appearance, Ms. Buckingham consents to appearing before the Court on that date by video teleconference.

7. Ms. Buckingham's counsel conferred with the Government regarding the relief sought by this motion, and the Government stated that it takes no position on the motion.

WHEREFORE, Ms. Buckingham respectfully requests that this motion be ALLOWED, and that this Court continue her initial appearance in this matter to April 10, 2019 or such other time thereafter as is convenient for the Court. In the alternative, Ms. Buckingham respectfully requests that she be permitted to appear before the Court on April 3, 2019 by video teleconference.

Dated: April 1, 2019

Respectfully submitted,

/s/ Joseph F. Savage

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Attorneys for Defendant Jane Buckingham

LOCAL RULE 7.1(A)(2) CERTIFICATION AND CERTIFICATE OF SERVICE

I hereby certify that counsel for Defendant met and conferred with opposing counsel in a good faith effort to narrow or resolve the issues presented herein, and opposing counsel stated that it takes no position.

I further certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on April 1, 2019.

/s/ Joseph F. Savage